

### REMARKS

This amendment responds to the office action mailed March 9, 2005. In the office action the Examiner:

- rejected claims 2-8 and 25; and
- objected to claims 9-24

After entry of this amendment, the pending claims are: claims 2, 4-25.

#### *Overview of Changes to Claims*

The limitations of claim 3 (delay issuance of read command) have been added to claim 2. In addition, claim 2 have been significantly rewritten to improve clarity. The “and a non read/write command” limitation has been removed from claim 2, and a similar limitation (“other command”) has been inserted in claim 3.

Claim 9 has been rewritten in independent form, but has also been rewritten to incorporate many of the changes made to claim 2.

Claim 25 has been amended to include the limitations of former claim 3, and also has been rewritten to improve clarity in a manner somewhat similar to claim 2. In claims 9 and 25, the term “non read/write command” has been replaced by “other command”.

#### *35 USC 103(a) Rejections*

Claims 2-4, 6 and 25 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al. (US 6,720,968) and Harriman (US 6,330,645). Dependent claims 7 and 8 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al. (US 6,720,968) and Harriman (US 6,330,645) and Lo et al (US 6,115,760). Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Butler et al. (US 6,720,968) and Harriman (US 6,330,645) and Takada et al. (US 6,633,961). The Applicants disagree and traverse.

In the advisory action, the Examiner helpfully points out that Harriman performs an operation on a read command – Harriman prioritizes the read. While it is debatable whether simply executing a read command is performing an operation on the read command, Claims 2 and 25, as amended, clearly distinguish over Harriman.

In addition, while there is no mention of memory coherency or memory device independence in the pending claims, the fact that the Harriman system concerns a memory

system designed to address coherency issues for multiple memory access streams issued by multiple memory controller access devices (abstract, lines 1-2) means that Harriman is a poor basis for any 35 U.S.C. 103 rejection of the currently pending claims, because Harriman is not addressing the pipeline data bubble issue that is addressed by the present invention as defined by the pending claims.

It is submitted that claims 3-8, which depend from claim 2, are patentable over the prior art of record for at least the same reasons as claim 2.

Claims 9-24 were noted by the Examiner as being allowable if claim 9 were rewritten in independent form. Claim 9 has been rewritten in independent form. The rewriting of claim 9 to improve clarity does not include any changes to the "four states" portion of the claim.

#### CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Respectfully submitted,

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